



07-30-02

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PATENT

Our Docket: P-LG 5357

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE TECH CENTER 1600/2900

In re application of: )  
Padgett et al. )  
Serial No.: Unassigned )  
Filed: Unassigned )  
For: A METHOD OF INCREASING )  
COMPLEMENTARITY IN A )  
HETERODUPLEX )

Commissioner for Patents  
Washington, D.C. 20231

Examiner: Unassigned

Group Art Unit: Unassigned

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Ryan Navarre

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[Signature]  
(SIGNATURE OF PERSON MAILING PAPER OR FEE)

Sir:

PETITION TO MAKE SPECIAL

Applicants hereby petition to expedite this application by making it special under 37 C.F.R. § 1.102(d), thereby advancing examination of the application out of turn.

Applicants claim special status for this application because it relates to biotechnology and was filed by a small entity.

- (A) The present application is a divisional application claiming priority to U.S. Application Serial No. 10/066,390, filed on February 1, 2002. Applicants are employees of Large Scale Biology Corporation (hereinafter "Assignee"), and according to the conditions of their employment have assigned their rights to the present invention to Assignee. Small entity status has been established. A copy of the Small Entity Statement filed on June 14, 2002, in U.S.

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Application Serial No. 10/066,390 is attached as  
Exhibit A.

- (B) The subject invention taught in the present application is directed to Gene Shuffling (hereinafter "Invention"). The invention represents a significant portion of the Assignee's intellectual property portfolio and is a key component of Assignee's on-going licensing strategy. It is therefore, a major asset of the Assignee.
- (C) The Invention offers significant advances and benefits over the current state of the art. The Assignee has limited assets and resources. In order to develop and commercialize this Invention, the Assignee is actively seeking collaborators, or licensees. However, these efforts are being hampered by uncertainty as to the ultimate outcome of the examination of the present application. Thus, expediting examination of the present application is critical to removing a barrier to the development and commercialization of the Invention.

A petition fee of \$130 is being filed herewith, as required by 37 C.F.R. § 1.102(d). The Commissioner is hereby authorized to charge payment or credit any overpayment to Deposit Account No. 03-0370 for any fee associated with this Petition. A duplicate copy of this sheet is enclosed for this purpose.

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Please direct any questions to the undersigned agent or  
Cathryn Campbell.

Respectfully submitted,

July 25, 2002  
Date

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